

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IMPERIUM IP HOLDINGS (CAYMAN), §
LTD., §
§
Plaintiff, §
§
v. § Case Number: 4:14-cv-00371-ALM
§
§
SAMSUNG ELECTRONICS CO., LTD., §
SAMSUNG ELECTRONICS AMERICA, §
INC., SAMSUNG §
TELECOMMUNICATIONS AMERICA, §
LLC, and SAMSUNG SEMICONDUCTOR, §
INC., §
§
Defendants. §

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to Patent Rule 4-3 and the scheduling order dated January 23, 2015 (Dkt. No. 70), plaintiff Imperium IP Holdings (Cayman), Ltd. (“Imperium”) and defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Semiconductor, Inc. (collectively, “Samsung”) hereby respectfully submit this Joint Claim Construction and Prehearing Statement.

I. AGREED CLAIM CONSTRUCTIONS

Pursuant to Patent Rule 4-3(a), and to the extent the Court determines that a construction is appropriate or necessary, the parties agree on the following constructions for purposes of this case:

Term, Phrase or Clause	Agreed Construction
“integration time” ('884 patent)	“the amount of time that a pixel is allowed to gather light before that pixel is read”
“overall system gain” ('884 patent)	“the ratio of the output signal of the entire system to the input signal to entire system”
“differential interface” ('290 patent)	“an interface that uses two lines to communicate a signal”

II. PROPOSED CONSTRUCTIONS AND IDENTIFICATION OF INTRINSIC AND EXTRINSIC EVIDENCE

Pursuant to Local Patent Rule 4-3(b), attached as Exhibits A through C are plaintiff Imperium’s and defendant Samsung’s proposed constructions and corresponding identification of supporting references to intrinsic and extrinsic evidence.

III. LENGTH OF CLAIM CONSTRUCTION BRIEFING AND ANTICIPATED HEARING LENGTH

Pursuant to the scheduling order dated January 23, 2015 (Dkt. No. 70), plaintiff Imperium requests that Imperium be allotted 20 pages for its opening claim construction brief and 20 pages for its reply brief, and that Samsung be allotted 40 pages for its claim construction brief.

Defendant Samsung requests that the parties be allotted the same number of total pages for claim construction briefing: (1) 30 pages for Imperium’s opening brief (2) 40 pages for Samsung’s responsive brief; and (3) 10 pages for Imperium’s reply brief. If the Court agrees with Imperium’s proposal that it be permitted to file a 20 page reply brief, Samsung reserves the right to seek permission to file a five page sur-reply.

Pursuant to Local Patent Rule 4-3(c), the parties anticipate that the length of time necessary for the claim construction hearing is three (3) hours. The parties also respectfully suggest that a 1.5 hour tutorial (45 minutes per side) just prior to the claim construction hearing would be beneficial to the Court.

IV. WITNESSES

Pursuant to Local Patent Rule 4-3(d), the parties do not propose to call any witnesses at the claim construction hearing.

V. PREHEARING CONFERENCE

Pursuant to Local Patent Rule 4-3(e), the parties do not believe that a prehearing conference is necessary.

Dated: April 13, 2015

Respectfully submitted,

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Dated: April 13, 2015

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2015, the foregoing document was filed electronically in compliance with Local Rule CV-5(a) and served via email upon counsel of record.

By: */s/ Alan M. Fisch*
Alan M. Fisch